



## CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk  
801 North First Street, Room 116  
San José, California 95110  
Telephone (408) 277-4424  
FAX (408) 277-3285

PATRICIA L. O'HEARN  
City Clerk

STATE OF CALIFORNIA       )  
COUNTY OF SANTA CLARA   )  
CITY OF SAN JOSE         )

I, Patricia L. O'Hearn, City Clerk and Ex-Officio Clerk of the Council of the and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "Ordinance No. 24437," the original copy of which is attached hereto, was passed for publication of title on the 3rd day of August, 1993, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the 17th day of August, 1993, by the following vote:

AYES: BEALL, COLE, FERNANDES, FISCALINI, JOHNSON,  
POWERS, SHIRAKAWA; HAMMER

NOES: NONE

ABSENT: HEAD, PANDORI

DISQUALIFIED: ALVARADO

Said ordinance is effective on September 17, 1993.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this 26th day of August, 1993.

(SEAL)

*Patricia L. O'Hearn*  
PATRICIA L. O'HEARN  
CITY CLERK AND EX-OFFICIO  
CLERK OF THE CITY COUNCIL

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN JOSE ESTABLISHING AN UNDERGROUND UTILITY DISTRICT ON CAMDEN AVENUE FROM BASCOM AVENUE TO LEIGH AVENUE

WHEREAS, by Resolution No. 64706, the City Council of San Jose set a Public Hearing on August 3, 1993, at 7:00 p.m., in the Council Chambers of the City of San Jose, City Hall, 801 N. First Street, at the corner of First and Mission Streets, to ascertain whether an underground utility district should be established in the area designated as "CAMDEN AVENUE UNDERGROUND UTILITY DISTRICT" (hereinafter called "District") and more fully described and shown on EXHIBIT A attached to said resolution; and

WHEREAS, written notice of the Public Hearing has been given pursuant to Section 15.24.050 of the San Jose Municipal Code, such hearing has been duly and regularly held, and all persons interested have been given a reasonable opportunity to be heard; and

WHEREAS, pursuant to Section 15.24.060 of the San Jose Municipal Code, the City Council hereby finds and determines that the public necessity, health, safety, and welfare require and it is in the general public interest that existing poles and overhead wires within the District be removed therefrom and thereafter prohibited and that wires and associated facilities within the District for transmitting, conducting, conveying, distributing, or supplying electricity for the purpose of providing light, heat, power, telephone, telegraph, communication, television, or other similar or associated service be installed underground; and

WHEREAS, the criteria to form a district as set forth in the San Jose Municipal Code 15.24.060 are:

- a) Removal of overhead wires and placement underground will eliminate an unusually heavy concentration of poles and overhead wires within the Proposed District.
- b) Public streets or rights-of-way within the Proposed District are extensively used by the general public and carry a heavy volume of pedestrian or vehicular traffic.
- c) Public streets or rights-of-way within the Proposed District adjoin or pass through a civic area or public recreation area used by the general public.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of San Jose:

SECTION 1. The City Council hereby declares that a certain area of the City of San Jose hereinafter described and shown on EXHIBIT A, attached hereto, made a part hereof, and incorporated herein by reference is established as an underground utility district to be designated "CAMDEN AVENUE UNDERGROUND UTILITY DISTRICT" and orders and requires that existing poles and overhead wires within said District be removed therefrom by the operators of the utilities and thereafter prohibited and that wires and associated facilities within said District for transmitting, conducting, conveying, distributing, or supplying electricity for the purpose of providing light, heat, power, telephone, telegraph, communication, television, or other similar or associated service be installed underground subject to all of the provisions and exceptions contained in Part 3, Chapter 15.24, of the San Jose Municipal Code.

SECTION 2. Wires and associated facilities within the District for transmitting, conducting, conveying, or supplying electricity for the purpose of providing heat, power, telephone, telegraph, communication, television, or other similar or associated service shall be removed by the operators of the utilities no later than July 31, 1994.

Wires and associated facilities within the District for transmitting, conducting conveying or supplying electricity for the purpose of providing heat, power, telephone, telegraph, communication, television or other similar or associated service shall be installed underground no later than May 31, 1994.

Persons owning any property as shown on the last equalized assessment roll served by overhead service drops which are extended from poles or spans located within the District must be ready to receive light, heat, power, telephone, telegraph, communications, television, or other similar or associated service by means of underground wires and facilities no later than June 30, 1994. Each property owner shall be responsible for the installation and maintenance of a new termination box, service panel conversion, modification of existing service conduit(s) (above ground), trenching, excavation, conduit installation, backfill, and surface restoration on the premises served. The underground wires and facilities, as set forth above, shall be installed within the limits from the service connection point within the sidewalk area to the required termination box located on the structure(s) or premise.

SECTION 3. The City Council does hereby request that the Pacific Gas & Electric Company and Pacific Bell provide payment, computed pursuant to Rule 20 and Rule 32 respectively for the installation of no more than one hundred (100) feet (measured from the property line) of trenching, excavation, conduit installation, backfill, and surface restoration of each customer's individual service lateral to each qualifying premise affected by the District.

SECTION 4. Within twenty (20) days of the effective date of this ordinance, the Director of Public Works shall give written notice to all affected Utilities owning, possessing, or controlling any poles or overhead wires in the district and all owners and occupants of property affected by said District as required by Sections 15.24.150 and 15.24.160 of the San Jose Municipal Code.

SECTION 5. In lieu of a notice to the Utility Companies for disconnection of service pursuant to Section 15.24.130 of the San Jose Municipal Code, the Director of Public Works may give an additional notice to any noncomplying property owners or occupants in said District pursuant to Section 15.24.170 of the San Jose Municipal Code.


SECTION 6. The Director of Public Works is hereby empowered to extend the time for any act required under this ordinance for the period of time and for the reasons set forth in Section 15.24.180 of the San Jose Municipal Code.

PASSED FOR PUBLICATION OF TITLE on August 3, 1993 by the following vote:

AYES: BEALL, COLE, FERNANDEZ, FISCALINI, HEAD,  
JOHNSON, PANDORI, POWERS, SHIRAKAWA; HAMMER

NOES: NONE

ABSENT: ALVARADO

  
\_\_\_\_\_  
SUSAN HAMMER, MAYOR

ATTEST:

  
\_\_\_\_\_  
PATRICIA L. O'HEARN, CITY CLERK

DBB:SA  
5pfs[CAMDEN.ORD]

Attachments:  
Exhibit A-1, Description  
Exhibit A-2 & 3, Map

August 3, 1993

EXHIBIT A

DESCRIPTION OF PROPOSED BOUNDARY OF AN UNDERGROUND UTILITY  
DISTRICT ON CAMDEN AVENUE BETWEEN BASCOM AVENUE AND LEIGH  
AVENUE

All that certain real property situate in the City of San Jose, County of Santa Clara, State of California, described as follows:

BEGINNING at the ultimate northerly right-of-way line of Camden Avenue at a point of intersection with the ultimate westerly right-of-way line of Leigh Avenue;

THENCE proceeding in a northerly direction along the ultimate westerly right-of-way line of Leigh Avenue to a true point of beginning 5' north of the ultimate northerly right-of-way line of Camden Avenue;

THENCE proceeding in a southerly direction 130 ± feet along the ultimate westerly right-of-way line of Leigh Avenue to a point 5' south of the ultimate southerly right-of-way line of Camden Avenue;

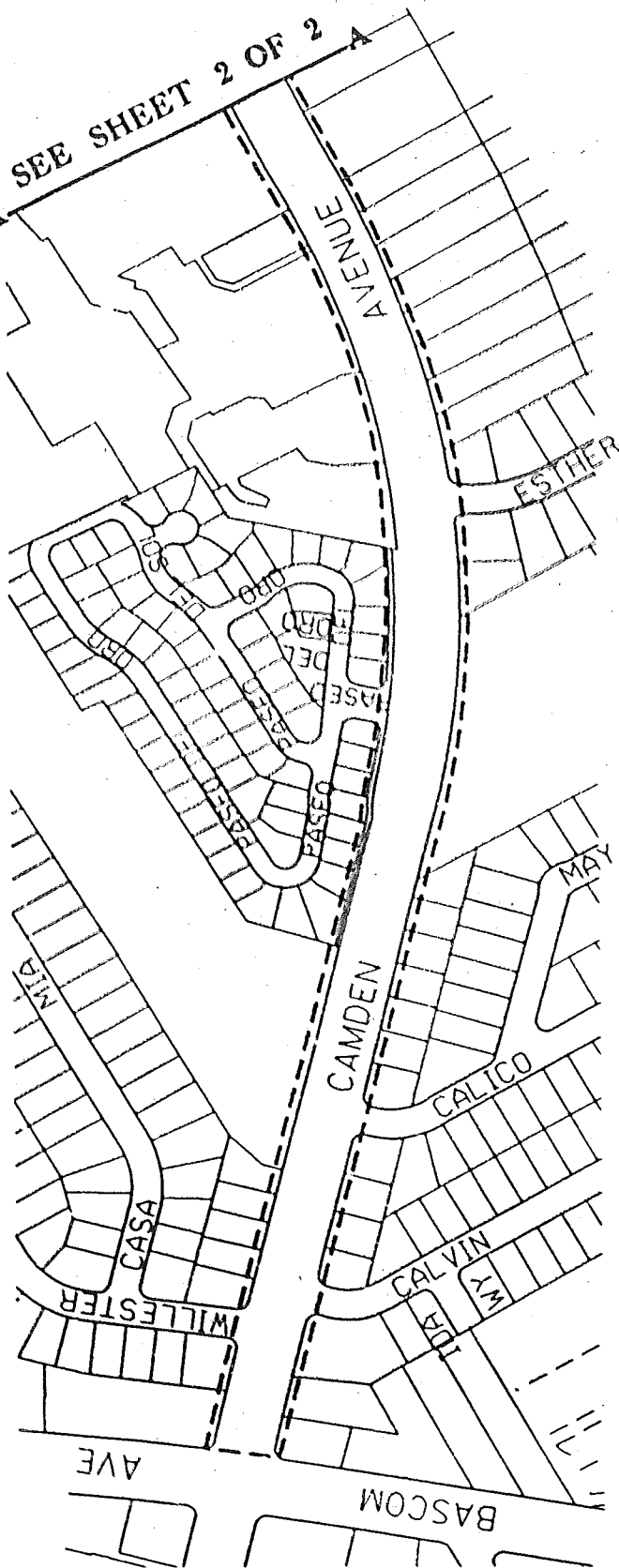
THENCE proceeding in a westerly direction 5875 ± feet parallel to the ultimate southerly right-of-way line of Camden Avenue to a point on the ultimate easterly right-of-way line of Bascom Avenue;

THENCE proceeding in a northerly direction 130 ± feet along the ultimate easterly right-of-way line of Bascom Avenue to a point 5' north of the ultimate northerly right-of-way line of Camden Avenue;

THENCE proceeding in an easterly direction 5775 ± feet parallel to the ultimate northerly right-of-way line of Camden Avenue to the true point of beginning.

5pfs[CAMDEN.DS2]  
PLK:DBB:SA

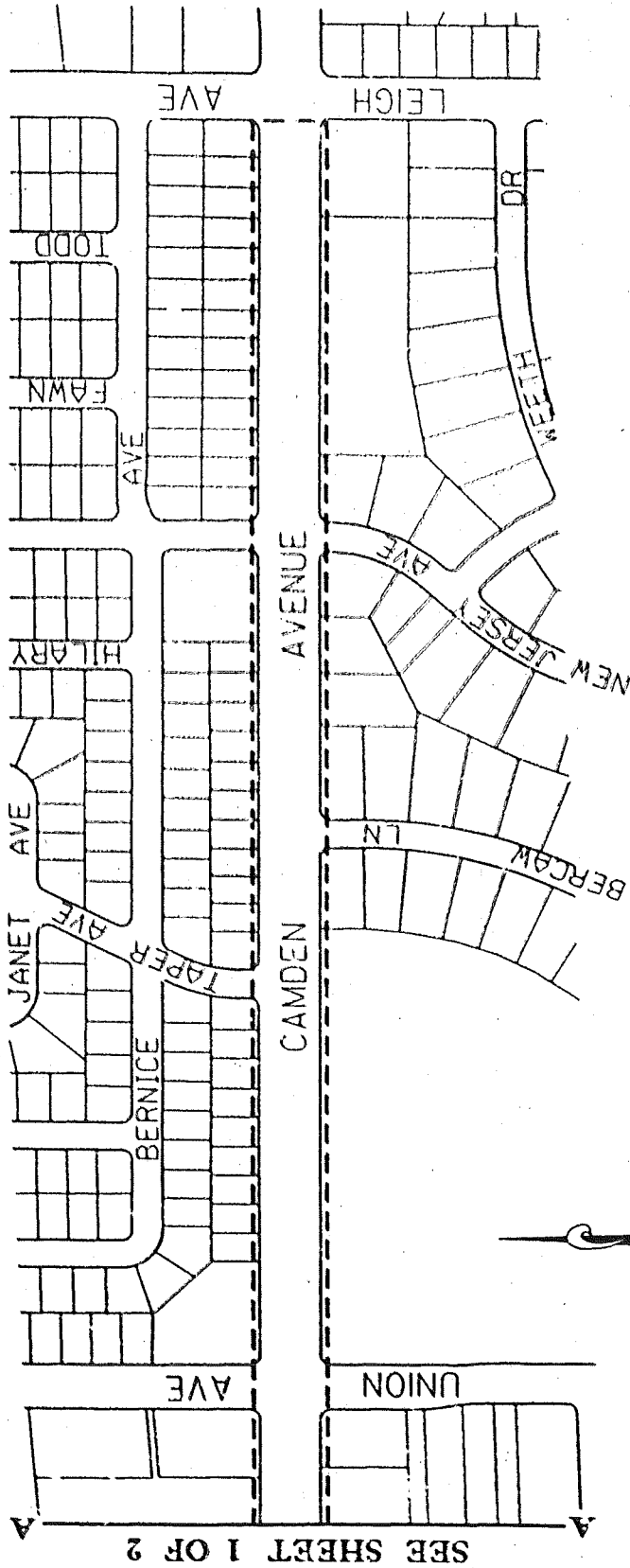
SEE SHEET 2 OF 2



CITY OF SAN JOSE  
UNDERGROUND UTILITY DISTRICT  
CAMDEN AVENUE

FROM  
BASCOM AVENUE  
TO  
LEIGH AVENUE

SHEET 1 OF 2



SEE SHEET 1 OF 2

CITY OF SAN JOSE  
UNDERGROUND UTILITY DISTRICT  
CAMDEN AVENUE

FROM  
BASCOM AVENUE  
TO  
LEIGH AVENUE



LEGEND

BOUNDARY

